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CARLOS E. KEPKE
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
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12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 CARLOS E. KEPKE,

16 Defendant.
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Case No. 3:21-CR-0155-JD

**DECLARATION OF GRANT P. FONDO
IN SUPPORT OF CARLOS KEPKE'S
MOTION TO EXCLUDE, OR IN THE
ALTERNATIVE, TO LIMIT CERTAIN
OPINIONS AND TESTIMONY OF
BRUCE G. DUBINSKY**

Date: August 29, 2022
Time: 10:30 a.m.
Dept: 11
Judge: Hon. James Donato

DECLARATION OF GRANT P. FONDO

I, Grant P. Fondo, declare as follows:

1. I am a partner with the law firm Goodwin Procter LLP and a member of good standing of the bar of this Court. I represent Defendant Carlos E. Kepke (“Mr. Kepke”) in the above-captioned matter. I submit this Declaration in support of Mr. Kepke’s Motion to Exclude, or in the Alternative, to Limit Certain Opinions and Testimony of Bruce G. Dubinsky. Unless stated otherwise, this declaration is based on my personal knowledge, and if called as a witness I could and would testify as follows:

2. Attached hereto as **Exhibit 1** is a true and accurate copy of the most recent Expert Report of Bruce G. Dubinsky, dated July 11, 2022.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 5, 2022 in Los Altos, California.

Dated: August 5, 2022

GOODWIN PROCTER LLP

By: /s/ Grant P. Fondo

GRANT P. FONDO (SBN 181530)

GFondo@goodwinlaw.com

GOODWIN PROCTER LLP

Attorney for Defendant
CARLOS E. KEPKE

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on **August 5, 2022**. I further certify that all participants in the case are registered CM/ ECF users and that service will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct. Executed on **August 5, 2022** in Los Altos, California.

/s/ Grant P. Fondo

GRANT P. FONDO